

Appln No. 10/500,939
Pascal Guerrero
Office Action dated July 21, 2005

REMARKS/COMMENTS

The Examiner is thanked for the Official Action dated July 21, 2005. This amendment is intended to be fully responsive thereto.

Claims Objections

The claims were objected to under 37 CFR 1.75(c) as being in appropriate form due to multiple dependencies. Newly amended claim 7 has been rewritten, into independent form, to remove such dependencies, and claims 8-11 now depend on a proper claim.

Claims Suggestions and 112 Rejections

The Examiner has suggested that the original claims 2-7 be rewritten into method claims for consistency. Newly amended claims 1-6 have been rewritten to make them into method claims, and to remove any 35 USC 112 bases for rejection as indefinite, by removing any potentially ambiguous language and clearly stating the operation of the method and device claimed. New claims 12 and 13 clearly point out the method wherein the internal combustion engine is part of an automotive vehicle. New claims 14-18 relate to an automotive vehicle having a management device as claimed in newly amended claims 1-11.

No new matter has been added.

The 102 Rejection

The Examiner has indicated that in the present invention, previous claims 1-6 were not new, based on Amaral, and particularly figures 1-5 of Amaral. Applicant respectfully asserts that newly amended and new claims 1-18 are now both new and unobvious over the prior art.

Figure 1 of Amaral shows a combustion engine (10) that is converted to a circuit of air (12), wherein the air goes into the motor (10) and escapes in the line (14). The turbine (16) and the air compressor (18) are rotationally coupled. (19) shows a classic filter. The temperature of air leaving the compressor (18) in between is regulated by a thermal regulation device (20) seen in the other figures 2-5.

Multiple heat exchangers are used to achieve Amaral's goals. In the figures 4-5 of Amaral, all air enters via some sort of mixing valve or device (28), prior to be presented

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to a heat exchanger. In fact, even post mixing, figures 4 and 5 show use of two separate heat exchangers to provide different temperatures of output.

In the present invention and as illustrated by figures 1-4, the air and gas enter into one heat exchanger without the requirement of pre-mix apparent in Amaral. The method of the present invention has the gases circulated in a heat exchanger, and, not as described into the prior art (see page 2 of the present specification).

Lehmann also suffers from the deficiencies cited in the prior art. Examiner respectfully points to 10, 26, and 27 to show the complexity of the situation. No where does Lehmann show a heat exchanger as in the present invention as shown in the single exchangers of, for example, Figs. 5-7 of the present invention.

Conclusion

Applicant respectfully submits that the claims of present invention, as claimed in the newly amended claims 1-11 and new claims 12-18, overcome Examiner's objections and rejections and are new and unobvious based on the prior art.

Based on the foregoing, it is respectfully submitted that claims 1-18, in their current forms, define the invention over the prior art of record and are in condition for allowance, and notice to that effect is earnestly solicited. Should the Examiner believe further discussion regarding the above claim language would expedite prosecution, please be invited to contact the undersigned at the number listed below.

Respectfully submitted:

By: 

Ronald Courtney

Reg. No. 34805

Correspondence address

Valeo, Inc.

Intellectual Property Department

4100 North Atlantic Boulevard

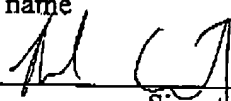
Auburn Hills, Michigan 48326

Tel: (248) 209 84 35 - Fax: (248) 209 82 05

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I hereby certify that this correspondence is being transmitted by
facsimile to the Commissioner for Patents,
Alexandria VA, 22313-1450 on December 20, 2005.

R. Courtney 34805
Attorney name Registration N.



Signature of Attorney